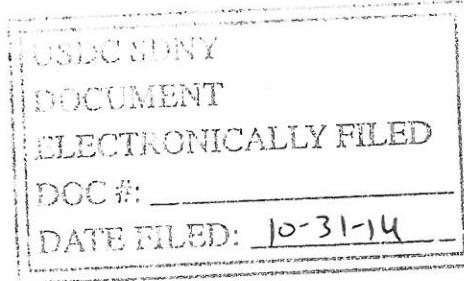


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October 29, 2014

BY ECF

Hon. Paul A. Crotty
United States District Court
500 Pearl Street
New York, New York 10007

Re: Microsoft Corp. v. Acacia Research Corp., No. 13-cv-8275 (PAC)

Dear Judge Crotty:

Yesterday, Defendant Acacia Research Corporation (“ARC”) filed a five-page letter responding to Plaintiff Microsoft Corporation’s (“Microsoft”) Supplemental Brief of October 21, 2014 (Dkt. No. 106). At the October 15, 2014 discovery conference, the Court requested that the parties each submit supplemental briefs on the common interest privilege issue no later than October 21, 2014. The Court did not authorize the parties to file responsive briefs. Nor did either party request such additional briefing. Nevertheless, because ARC has now filed a response to Microsoft’s brief, which contains a number of misleading factual and legal assertions, Microsoft believes the Court will benefit if Microsoft responds. Microsoft therefore seeks the Court’s permission to file a short responsive letter of no more than five pages by November 4, 2014.

Sincerely,

/s/ Andrew J. Levander

Andrew J. Levander

cc: All Counsel of Record (by ECF)

SO ORDERED:

HON. PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE

10/31/2014
This document and its copies shall, unless otherwise ordered,
be returned to the parties as unprivileged.
The letters will not be considered by the
Court.

so ordered
Paul Crotty
OCT